

REMARKS

Applicants respectfully request reconsideration of the outstanding Office Action rejections in view of the foregoing amendments and following remarks.

Claims 19-46 are pending in the application. Claims 19-28 are withdrawn. Claims 29-34 stand rejected. Claim 19 has been amended to recite "an upper layer consisting of thin metal strip" according to claim 29. Claim 26 has been amended to recite that the additional layer is loosely bonded to the upper layer to be detachable by hand, in order to have language similar to claim 32. Claim 30 has been cancelled and rewritten as new claim 35. Claim 29 has been amended to recite a reinforcement layer only on the underside of the strip. Support is found on page 9, lines 8-9 of the specification. Claim 32 has been amended to recite a plastic layer loosely bonded to the upper layer in such a way as to be detachable by hand. Support for the amendment to claim 32 is found in the specification on page 7, lines 3-4. Claims 20-28, 31, 33, and 34 have been amended to use terminology in conformance with US practice. New claim 36 has been added, with support on page 5, lines 18-21 of the specification. New claim 37 contains subject matter that was in claim 19. New claim 38 contains subject matter that was in claim 19. New claim 39 contains subject matter that was in claim 29. New claim 40 contains subject matter that was in claim 29. New claim 41 contains subject matter that was in claim 21. New claim 42 contains subject matter that was in claim 22. New claim 43 contains subject matter that was in claim 23. New claim 44 contains subject matter that was in claim 24. New claim 45 contains subject matter that was in claim 26.

New claim 46 contains subject matter that was in claim 27. No new matter has been added.

Claim Rejections under 35 U.S.C. § 112

Claim 30 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 30 recites the “reinforcement layer is attached directly after embossing of the structure,” then further recites “passing through at least one buffer arrangement after the embossing and prior to attaching the reinforcement layer.” The Examiner found the claim indefinite as to whether the reinforcement layer is attached directly after embossing or after the buffer arrangement. Claim 30 has been cancelled and new claim 35 has been added to recite the subject matter of the claim more clearly. Additional support for claim 35 is found on page 5, lines 18-29.

Claim Rejections under 35 U.S.C. § 102

Claims 29-30 and 32 were rejected under 35 U.S.C. § 102(b) as being anticipated by Curiel (U.S. Patent 6,164,548). Curiel teaches a method for making a metal layer within a resinous plastic layer wherein metal foil is passed through cooperating rolls that emboss the foil with a hologram, then the foil passes through a printing region and finally through an extruder wherein the foil is encapsulated within a resinous plastic

material. The Examiner states that the printing step deposits ink onto the foil, and that the ink acts to buffer the foil from the hot resinous plastic material.

Applicants traverse the rejection and assert that Curiel teaches encapsulating the metal strip, whereas present claim 29 recites extrusion coating a reinforcement layer only on the lower side of the strip. Claim 32 has been amended to recite an additional plastic layer loosely bonded to the upper layer in such a way as to be detachable by hand (Specification page 7, lines 3-4). The detachable additional plastic layer according to claim 32, which serves as a protective layer, is not taught by Curiel. Curiel teaches completely encapsulating the metallic layer with a uniform plastic material (100) (Curiel, column 6, lines 30-34, and Figure 2). Curiel's strip must be encapsulated in order to protect the desired information: "The information is physically encased within protective materials thereby precluding direct access for alteration, "(Curiel, column 2, lines 38-44). In contrast the method of claim 29 coats a layer of plastic only on the lower side of the metal strip. Therefore, Applicant requests reconsideration and withdrawal of the rejection to claim 29 and dependent claims 30 (new claim 35) and 32.

The method of producing the decorative strip of the present claims is not anticipated by the cited art. The decorative strip according to the invention has a surface with a high quality appearance due to the metallic relief but is very cheap in production since only a very thin metallic strip is used. The present claims are directed to producing a decorative strip whose visible face (see page 3, lines 11-13 of specification) is constituted by the upper face of the metallic upper layer being provided with a three-

dimensional relief (18). Thus, the reinforcement layer is extrusion-coated only to the lower side of the upper layer. An additional plastic layer may be extrusion-coated to the upper face of the upper layer for protection before use of the decorative strip.

Claim Rejections under 35 U.S.C. § 103

Claim 31 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Curiel in view of Levendusky (U.S. Patent 5,919,517). Levendusky is directed to a method and apparatus for extrusion coating a metal strip. Curiel does not teach an upper layer running like a loop in the area of the buffer arrangement; however Levendusky teaches tension rollers that a metal strip passes through after being unwound from a coil and before entering the coating apparatus (see Levendusky column 2, lines 34-39 and Fig. 1). The Examiner states that the curved path and tension rollers of Levendusky would be obvious to incorporate as a buffering arrangement with Curiel's method of coating aluminum foil with polymer.

Applicant traverses the rejection and argues that Curiel does not teach the method of base claim 29, namely coating a reinforcement layer only on the lower side of the upper layer metal strip. Levendusky cannot be combined with Curiel because Curiel teaches against a non-encased strip, and if Levendusky teaches a strip with resin on only one side, Curiel is inoperable. Curiel's strip must be encapsulated in order to protect the desired information: "The information is physically encased within protective

materials thereby precluding direct access for alteration, "(Curiel, column 2, lines 38-44). Base claim 29 is directed to a plastic coating layer on only the lower side of the strip; therefore claim 29 and its dependent claims, including claim 31, are allowable over the combination of Curiel and Levendusky.

Claims 33-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Curiel in view of Jackson (U.S. Patent 3,745,056). Jackson teaches a method of making a polymer coated metallic strip wherein adhesive material may be coated on both sides of the metal foil. The adhesive material may be a poly-urethane tape. The Examiner states that poly-urethane is a known varnish that has adhesive and protective qualities. Without a disclosure of a specific order of steps in Jackson, the Examiner states that it would have been obvious to combine Curiel's method of making a polymer coated metallic strip with Jackson's poly-urethane tape prior to embossing, in order to impart adhesive and protective qualities to the metal strip. Applicant traverses the rejection. As stated above, Curiel teaches an encapsulated foil, and would be inoperable if the metal foil were only coated on the bottom surface because the foil would no longer be protected from direct access for alteration. Claims 33 and 34 depend from claim 29. The foil in Curiel is encapsulated by a resinous plastic material. There is no motivation to combine the adhesive varnish of Jackson on the upper surface of the foil in Curiel. There is no problem solved by applying a varnish on Curiel's encapsulated foil. There is no need of a protective or adhesive varnish in Curiel since Curiel's foil is encapsulated by resinous plastic. There is thus no motivation to combine Curiel and Jackson.

The varnish of present claim 33 is protective and not adhesive, in contrast to Jackson's teaching of an adhesive material on both sides of the metal foil. Jackson applies an adhesive varnish on both sides of the foil in order to attach a vinyl body on one side and a vinyl film on the other. In the present invention, using an adhesive varnish on the upper face (22) of the upper layer (12) would be undesirable as the strip is decorative and intended to be visible. There is no problem to be solved in the present invention for the upper face to have an adhesive varnish on the upper surface.

It is important that the protective layer prevents the deformation of the relief of the metal band during the extrusion process, particularly when the band passes the extrusion head. In the extrusion head, the plastic material of the reinforcement layer is applied to the lower face of the metal band under high pressure, thus pressing the metal band to one side of the extrusion channel of the extrusion head. During extrusion, the metal band is continuously transported through the extrusion head, so that without the additional plastic layer extruded in-between the upper side of the metal band and the extrusion head, the metal band with its relief structure would become scratched along one side face of the extrusion channel and suffer damage to the protruding relief structure. The additional plastic layer prevents such scratching. Since the additional plastic layer is only loosely bonded in such a way as to be detachable by hand, it can be detached after mounting the laminated strip to a vehicle, for example. The upper face of the metal band constitutes the outer face of the laminated strip which imparts an

impressive valuable appearance to the laminated strip. There is no suggestion of such a protective layer in the cited art.

New claim 36 has been added. Another aspect of the invention is that the upper layer is stopped during embossing of the structure in relief in the embossing unit 30 (specification, page 8, paragraph 3). This enables the use of an embossing unit employing an upper stamp and a lower stamp which produces extremely sharp edges in contrast to the embossing units employing embossing rolls like rolls 128, and 170 in figure 3 of Curiel.

In view of the foregoing amendments and remarks Applicant requests reconsideration and withdrawal of the rejections and objections. Early and favorable action is earnestly solicited.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact Applicant's undersigned attorney by telephone to arrange for an interview in order to expedite the allowance of this application.

This response is filed with a request for a one month extension of time. The required fee under 37 CFR § 1.17(a)(1) is paid hereunder by charge to Counsel's Deposit Account No. 02-2135.

The Director is authorized to charge any additional fees required or refund any overpayments to Counsel's Deposit Account No. 02-2135.

Respectfully submitted,

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